

## Committee of Adjustment Application to Planning Department

### Complete Application

A complete Committee of Adjustment application consists of the following:

1. A properly completed and signed application form (signature must on original version);
2. Supporting information adequate to illustrate your proposal as listed in **Section H** of this application form (plans are required in paper copy and digital PDF format);
3. Written authorization from all registered owners of the subject lands where the applicant is not the owner as per Section N; and,
4. Cash, debit or cheque payable to Norfolk County in the amount set out in the Norfolk County User Fees By-Law.

**Planning application development fees are not required with the submission of your completed and signed development application. Your planning application fee will be determined by the planner when your application has been verified and deemed complete. Prepayments will not be accepted.**

5. Completed applications are to be mailed to the attention of **Secretary Treasurer – Committee of Adjustment**: 185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6 or email your application [committee.of.adjustment@norfolkcounty.ca](mailto:committee.of.adjustment@norfolkcounty.ca). Make sure submissions are clearly labelled including address, name, and application type. Failure to do so may impact the timing of your application.

The above listed items are required to ensure that your application is given full consideration. An incomplete or improperly prepared application will not be accepted and may result in delays during the processing of the application. This application must be typed or printed in ink and completed in full.

Please review all of the important information summarised below.

### Before your Application is Submitted

A pre-consultation meeting is not usually required for Committee of Adjustment applications; however, discussion with Planning Department staff prior to the submission of an application is **strongly encouraged**. The purpose of communicating with a planner **before** you submit your application is: to review your proposal / application, to discuss potential issues; and to determine the required supporting information and materials to be submitted with your application before it can be considered complete by staff. You might find it helpful to retain the services of an independent professional (such as a registered professional planner) to help you with your application. Information about the Official Plan and Zoning By-law can be found on the County website: [www.norfolkcounty.ca/planning](http://www.norfolkcounty.ca/planning)

## **After Your Application is Submitted**

Once your payment has been received and the application submitted, in order for your application to be deemed complete all of the components noted above are required.

Incomplete applications will be identified and returned to the applicant. The *Planning Act* permits up to 30 days to review and deem an application complete.

Once your application has been deemed complete by the Planning Department, it is then circulated to public agencies and County departments for review and comment. A sign is also provided that is required to be posted on the subject lands that summarizes the application and identifies the committee meeting date. The comments received from members of the community will be included in the planning report and will inform any recommendations in relation to the application.

If the subject lands are located in an area that is regulated by either the Long Point Region Conservation Authority or by the Grand River Conservation Authority an additional fee will be required if review by the applicable agency is deemed necessary. A separate cheque payable to the Long Point Region Conservation Authority or the Grand River Conservation Authority is required in accordance with their fee schedule at the same time your application is submitted.

**Additional studies** required as part of the complete application shall be at the sole expense of the applicant. In some instances peer reviews may be necessary to review particular studies and that the cost shall be at the expense of the applicant. The company to complete the peer review shall be selected by the County.

If the application is withdrawn prior to the circulation to commenting agencies, the entire original fee will be refunded. If withdrawn after the circulation to agencies, half the original fee will be refunded. No refund is available after the public meeting and/or approval of application.

## **Notification Sign Requirements**

Planning Department staff may post a notification sign on your property in advance of the public meeting on your behalf. Please keep this sign posted until you have received a notice in the mail indicating that the Secretary Treasurer received no appeals. However, it is the applicant's responsibility to ensure that the sign is correctly posted within the statutory timeframes, according to the *Planning Act*. Failure to post a sign in advance of the public meeting in accordance with statutory requirements will impact the timing of your application at the Committee of Adjustment meeting. Applicants are responsible for removal of the sign following the appeal period. The signs are recyclable and can be placed in your blue box.

## **Contact Us**

For additional information or assistance in completing this application, please contact a planner at 519-426-5870 ext. 1842 or [Committee.of.Adjustment@NorfolkCounty.ca](mailto:Committee.of.Adjustment@NorfolkCounty.ca)



**For Office Use Only:**

File Number	_____	Application Fee	_____
Related File Number	_____	Conservation Authority Fee	_____
Pre-consultation Meeting	_____	Well & Septic Info Provided	_____
Application Submitted	_____	Planner	_____
Complete Application	_____	Public Notice Sign	_____

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**Check the type of planning application(s) you are submitting.**

- Consent/Severance/Boundary Adjustment
- Surplus Farm Dwelling Severance and Zoning By-law Amendment
- Minor Variance
- Easement/Right-of-Way

**Property Assessment Roll Number:** 3310541020634000000

**A. Applicant Information**

**Name of Owner** Stubbes Property Development Inc.

It is the responsibility of the owner or applicant to notify the planner of any changes in ownership within 30 days of such a change.

Address 44 Muir Line

Town and Postal Code Harley, ON, N0J 1E0

Phone Number 519-424-2183 ext 275

Cell Number 519-536-3294

Email albertm@stubbes.org

**Name of Applicant** Same as owner

Address \_\_\_\_\_

Town and Postal Code \_\_\_\_\_

Phone Number \_\_\_\_\_

Cell Number \_\_\_\_\_

Email \_\_\_\_\_



**Name of Agent** Strik, Baldinelli, Moniz Ltd (c/o Nick Dyjach)

Address 1599 Adelaide Street North, Unit 301

Town and Postal Code London, Ontario; N5X 4E8

Phone Number 519-471-6667 x 150

Cell Number 519-318-9960

Email ndyjach@sbmltd.ca

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the owner and agent noted above.

Owner                                       Agent                                       Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

\_\_\_\_\_

\_\_\_\_\_

**B. Location, Legal Description and Property Information**

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

Part Lot 25, Middleton Concession 1, South of Talbot Road,

Municipal Civic Address: 17 Highway Cres, Courtland

Present Official Plan Designation(s): Urban Residential

Present Zoning: \_\_\_\_\_

2. Is there a special provision or site specific zone on the subject lands?

Yes    No   If yes, please specify: RH with Special Provision 14.1032 and holding provision (existing By-law 9-Z-2023 included in submission package)

3. Present use of the subject lands: Vacant

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

NA - property is vacant

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5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

NA

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6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

Future single detached dwellings on lots 1-13 as shown on draft plan of subdivision drawing (file # 28TPL2022350) that has been draft plan approved. Building details identified above are not available at this time.

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes  No

If yes, identify and provide details of the building:

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8. If known, the length of time the existing uses have continued on the subject lands:

\_\_\_\_\_

9. Existing use of abutting properties: Primarily residential to the north and east, agricultural to the south and west, and industrial to the north west.

10. Are there any easements or restrictive covenants affecting the subject lands?

Yes  No If yes, describe the easement or restrictive covenant and its effect:

None existing; proposed servicing easement/0.3 m exterior side yard reserve, as shown on the draft plan of subdivision

### C. Purpose of Development Application

Note: Please complete all that apply. **Failure to complete this section will result in an incomplete application.**

#### 1. Site Information (Please refer to Zoning By-law to confirm permitted dimensions)

	Existing	Permitted	Provision	Proposed	Deficiency
Lot frontage		30.0 m		27.1 m (lot 8)	2.9 m
Lot depth		NA in RH zone			
Lot width		NA in RH zone			
Lot area		1950			
Lot coverage	As identified on the marked-up draft plan of subdivision, lots 5, 6, 7, 10, 11 and 12 do not comply with the required 1950 square metres identified in the Zoning By-law. Lot 8 also doesn't comply with the required lot frontage, as per the Zoning Bylaw lot frontage definition. Due to limited space here, please review that drawing for the existing areas.				
Front yard					
Rear yard	NA since building info not available at this time; assumed compliance with existing zoning.				
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

2. Please explain why it is not possible to comply with the provision(s) of the Zoning

By-law: Previous agent erroneously requested a minimum lot area number as part of the ZBA application that did not reflect some of the lot areas in the draft plan of subdivision.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Consent/Severance/Boundary Adjustment:** Description of land intended to be severed in metric units: NA; minor variance application only

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Lot Area: \_\_\_\_\_

Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Proposed final lot size (if boundary adjustment): \_\_\_\_\_

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Description of land intended to be retained in metric units:

Frontage: NA; minor variance application only

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Lot Area: \_\_\_\_\_

Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Buildings on retained land: \_\_\_\_\_

4. **Easement/Right-of-Way:** Description of proposed right-of-way/easement in metric units: NA

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_



Width: \_\_\_\_\_  
Area: \_\_\_\_\_  
Proposed Use: \_\_\_\_\_

**5. Surplus Farm Dwelling Severances Only:** List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation

Owners Name: NA  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?:  Yes  No If yes, year dwelling built \_\_\_\_\_  
Date of Land Purchase: \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?:  Yes  No If yes, year dwelling built \_\_\_\_\_  
Date of Land Purchase: \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?:  Yes  No If yes, year dwelling built \_\_\_\_\_  
Date of Land Purchase: \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?:  Yes  No If yes, year dwelling built \_\_\_\_\_  
Date of Land Purchase: \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?:  Yes  No If yes, year dwelling built \_\_\_\_\_  
Date of Land Purchase: \_\_\_\_\_

**Note: If additional space is needed please attach a separate sheet.**

**D. All Applications: Previous Use of the Property**

1. Has there been an industrial or commercial use on the subject lands or adjacent lands?  Yes  No  Unknown

If yes, specify the uses (for example: gas station, or petroleum storage):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?  Yes  No  Unknown

3. Provide the information you used to determine the answers to the above questions:

Info provided by owner/applicant

\_\_\_\_\_

4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached?  Yes  No

**E. All Applications: Provincial Policy**

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act, R.S.O. 1990, c. P. 13*?  Yes  No

If no, please explain:

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2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7?  Yes  No

If no, please explain:

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3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection?  Yes  No

If no, please explain:

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Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.



4. All Applications: Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

**Livestock facility or stockyard** (submit MDS Calculation with application)

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Wooded area**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Municipal Landfill**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Sewage treatment plant or waste stabilization plant**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Provincially significant wetland (class 1, 2 or 3) or other environmental feature**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Floodplain**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Rehabilitated mine site**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Non-operating mine site within one kilometre**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Active mine site within one kilometre**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Industrial or commercial use (specify the use(s))**

On the subject lands or  within 500 meters – distance trailer business

**Active railway line**

On the subject lands or  within 500 meters – distance spur line

**Seasonal wetness of lands**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Erosion**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Abandoned gas wells**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**F. All Applications: Servicing and Access**

1. Indicate what services are available or proposed:

Water Supply

- Municipal piped water
- Individual wells
- Communal wells
- Other (describe below)

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Sewage Treatment

- Municipal sewers
- Septic tank and tile bed in good working order
- Communal system
- Other (describe below)

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Storm Drainage

- Storm sewers
- Other (describe below)  
SWM facility (Block 14 on draft plan of subdivision)
- Open ditches

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2. Existing or proposed access to subject lands:

- Municipal road
- Unopened road
- Provincial highway
- Other (describe below)

Name of road/street:

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**G. All Applications: Other Information**

1. Does the application involve a local business?  Yes  No

If yes, how many people are employed on the subject lands?

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2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

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## H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- Environmental Impact Study
- Geotechnical Study / Hydrogeological Review
- Minimum Distance Separation Schedule
- Record of Site Condition

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

**All final plans must include the owner's signature as well as the engineer's signature and seal.**



**I. Transfers, Easements and Postponement of Interest**


The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

**Permission to Enter Subject Lands**

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

**Freedom of Information**

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.

  
Owner/Applicant/Agent Signature


Oct 28, 2024  
Date

**J. Owner's Authorization**

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We MIKE GOOR am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize SBM Ltd. to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

  
Owner  
Owner

Oct 28, 2024  
Date  
Date

**\*Note:** If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.

**K. Declaration**

I, Simona Rasanu of the City of London

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

SBM London office

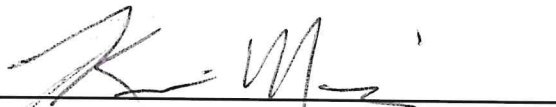


Owner/Applicant/Agent Signature

In Middlesex County

This 28th day of October

A.D., 2024



A Commissioner, etc.

Kevin Andrew Moniz, a Commissioner, etc.,  
Province of Ontario, for Strik, Baldinelli, Moniz Ltd.  
and SBM Geomatics Ltd.  
Expires November 30, 2026.

# ATTACHMENT B

## CONDITIONS FOR DRAFT PLAN OF SUBDIVISION

1. Pursuant to the provisions of Section 51 of the *Planning Act, R.S.O., 1990 c. P.13*, as amended, ("the *Planning Act*") the following conditions will apply for the development application 28TPL2022350.
2. THAT this approval applies to the proposed draft plan of subdivision, described as Concession 1 Part Lot 25, Urban Area of Courtland, prepared by SBM Ltd. on behalf of Stubbes Property Development Inc, which includes the following:
  - a. 13 Single Detached Residential Lots
  - b. Stormwater Management Facilities (Block 14)
  - c. Walkway and Servicing (Block 15)
  - d. 0.3 metre Exterior Side Yard Reserve to be shown on a separate reference plan
  - e. Right of Way
3. AND FURTHER THAT draft plan of subdivision approval will expire on **December 31, 2026**, after which draft plan approval shall lapse pursuant to Section 51(32) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended. It is the Owners' responsibility to contact Norfolk County Planning if an extension of draft plan approval is required thirty (30 days) prior to the expiry date.
4. AND FURTHER THAT the draft plan of subdivision approval will expire in the event that the final plan of subdivision for an individual phase of the development is not registered by the date set out identified above. If the draft plan of subdivision expires, then draft plan approval shall lapse pursuant to Section 51(32) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended. It is the Owner's responsibility to contact Norfolk County Planning if an extension of draft plan approval is required at least thirty (30 days) prior to the expiry date.
5. AND FURTHER THAT the Owner covenants and agrees that the subject lands will not be developed, serviced, altered, disturbed or graded prior to the final plan approval except where a pre- servicing agreement is registered on title and except to the extent required for the purposes of the archeological assessment.

### STUDIES, REPORTS AND ASSESSMENTS

6. AND FURTHER THAT the Owner covenants and agrees that all additional studies, reports and assessments be completed by a qualified professional, with findings and recommendations implemented prior to final plan approval. Please note that this may result in amendments to your



draft plan approval and conditions which will require a redline development application, subsequent fees and processing time.

7. AND FURTHER THAT prior to final plan approval, the Owner shall complete the required Environmental Assessments for (public roads and highways, waste management projects, water and wastewater works, environmental impact study, environmental compliance approval, environmental site assessment, heritage impact study) to be accepted by the approval authority (NEAC, Heritage committee, provincial ministries) to carry out the recommendations and any necessary mitigation to the satisfaction of the approval authority and Norfolk County.
8. AND FURTHER THAT prior to final plan approval, the Owner shall carry out the recommendations and any necessary mitigation required by the Functional Servicing Report to the satisfaction of Norfolk County.
9. AND FURTHER THAT prior to final plan approval, the Owner shall carry out the recommendations and any necessary mitigation required by the Geotechnical Investigation Report to the satisfaction of Norfolk County's Chief Building Official.
10. AND FURTHER THAT prior to final plan approval, the Owner shall carry out the recommendations and any necessary mitigation required by the Noise and Vibration Compatibility Study Investigation Report to the satisfaction of Norfolk County's Chief Building Official.
11. AND FURTHER THAT prior to final plan approval, the Owner shall complete the required comprehensive Stormwater Management Plan and Report; carry out the recommendations and any necessary mitigation to the satisfaction of appropriate Ministry and Norfolk County.
12. AND FURTHER THAT prior to final plan approval, the Owner shall complete the required Traffic Study; carry out the recommendations and any necessary mitigation to the satisfaction of the appropriate Ministry and Norfolk County.
13. AND FURTHER THAT prior to final plan approval, the Owner shall complete and submit all required reports and studies for Ministry of Transportation (MTO) review, approval and permits before any demolition, grading, construction or alteration to the site occurs.
14. AND FURTHER THAT prior to final plan approval, the Owner shall complete and submit all required reports and studies for The Canadian National Railway (CNR) review, approval and permits before any demolition, grading, construction or alteration to the site occurs
15. AND FURTHER THAT any study, report and assessment be peer reviewed by qualified professionals at the discretion of Norfolk County Planning.
16. AND FURTHER THAT any study, report and assessment be technically reviewed by third party qualified professionals at the discretion of Norfolk County, at the Owner's expense.
17. AND FURTHER THAT the Owner shall provide to the Norfolk County a water distribution system model demonstrating that there is adequate water supply and pressure for potable water to accommodate the development.
18. AND FURTHER THAT the Owner shall demonstrate through the use of Norfolk County's water distribution system model that there is adequate water supply and pressure for potable water to accommodate the development, to the satisfaction of the Norfolk County.

## **LAND TRANSFERS, RESERVES AND EASEMENTS**

19. AND FURTHER THAT the Owner shall provide a draft reference plan showing all transfers, temporary reserves, exterior side yard reserves, reserves and easements to the Agreement Administrator for acceptance.
20. AND FURTHER THAT at the time of registration, all transfers, reserves, easements and agreements shall be granted to Norfolk County, and the appropriate utilities and authorities to the satisfaction of the Agreement Administrator. Additional transfers, reserves and easements may be required subject to final servicing decisions. In the event of any conflict with existing facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements and in cooperation of the respective owners.
21. AND FURTHER THAT the Owner shall ensure all road allowances be constructed and dedicated as public highways on the final plan to the satisfaction of the Agreement Administrator.
22. AND FURTHER THAT the Owner shall fulfill the following conveyances, at the expense of the Owner and free from all encumbrances, to the satisfaction of the Agreement Administrator.
  - a. Convey Block 15 for servicing purposes.
  - b. Convey Block 14 for Stormwater Management Facilities

## **PARKLAND, TREE PLANTING, TRAILS AND WALKWAYS**

23. AND FURTHER THAT the Owner provides cash in lieu of parkland to Norfolk County in accordance with the provisions of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, and By-Law 2016-126 to the satisfaction of Norfolk County Community and Emergency Services.
24. AND FURTHER THAT the Owner shall prepare and implement a ~~Landscape Plan~~ and Tree Planting Plan which includes at a minimum one tree per lot/unit, and includes tree planting along the frontages to County roadways, prepared to the satisfaction of Norfolk County.
25. AND FURTHER THAT the Owner provides a payment to Norfolk County, in accordance with Norfolk County's User Fee By-Law, for the planting of 50 mm caliper sized trees, where such trees are proposed to be planted within the County's right of way.
26. AND FURTHER THAT the Owner shall, at its own expense, complete a line of fencing (type of fencing to be identified in condition) be established along the perimeter of the developed area adjacent to the railway to the satisfaction of Norfolk County Community and Emergency Services.
27. AND FURTHER THAT the Owner shall agree to design and construct a chain link fence (1.2 metres high) or equivalent, as may be required along the lot lines of all residential Lots and/or Blocks abutting trails, walkways, school sites, existing mixed use/commercial and industrial lands, municipal servicing facilities and designated significant natural heritage features, to the satisfaction of the Norfolk County Community and Emergency Services.

## **FIRE AND EMERGENCY SERVICES**

- 28.** AND FURTHER THAT that Owner shall agree to provide adequate fire protection measures and the installation of fire hydrants, to the satisfaction of the Fire Chief for Norfolk County.
- 29.** AND FURTHER THAT the Owner shall agree that prior to final plan approval and registration of the plan in whole, or in part, that a fire flow testing report with recommendations regarding servicing of the development to achieve adequate water flow rates and pressures in the water mains for fire protection be prepared and implemented to the satisfaction of Development Engineering and the Fire Chief of Norfolk County.
- 30.** AND FURTHER THAT the Owner shall identify temporary turning circles at all dead ends and cul-de-sacs on roads to facilitate the safe turnaround of Norfolk County emergency services vehicles, to current design standards and to the satisfaction of Development Engineering and the Fire Chief of Norfolk County.

## **ACCESSIBILITY**

- 31.** AND FURTHER THAT that Owner shall agree to provide sidewalks that are equipped with curb cuts and tactical walking surface indicators at all curb ramp pedestrian crossings to the satisfaction of Norfolk County.

## **DEVELOPMENT ENGINEERING**

- 32.** AND FURTHER THAT the Owner shall agree, prior to final plan approval, to confirm that water capacity remains available for the development proposed within this draft plan of subdivision/condominium or any phase thereof.
- 33.** AND FURTHER THAT the Owner understands and accepts that Norfolk County is under no obligation to provide final plan approval for this development until it has been determined if servicing has been committed. The application for draft plan of approval expiry date extension does not guarantee commitment by Norfolk County to extend of water and wastewater servicing allocations for the development. Consideration of draft plan extensions are subject to any servicing allocation policies and procedures.
- 34.** AND FURTHER THAT the Owner shall agree, prior to final plan approval, to complete the engineering design of the water and transportation infrastructure on external works to the satisfaction of Norfolk County. In addition, the Owner shall further agree to construct the accepted works required by this development, to the satisfaction of the Norfolk County.
- 35.** AND FURTHER THAT the Owner shall agree to obtain a road occupancy permit from Norfolk County prior to the commencement of any servicing or other works within any County road right-of-way.
- 36.** AND FURTHER THAT the Owner shall agree that during construction of the development, the stormwater management facilities and access road, that all maintenance activities will be the responsibility of the Owner. Erosion and sediment control for the construction of the stormwater management facilities shall be in accordance with the engineering drawings that have been accepted by Norfolk County

- 37.** AND FURTHER THAT the Owner acknowledges and shall comply with the recommendations and procedures outlined in "Guidelines on surface runoff due to Erosion and Sediment Control for Urban Construction Site" (OMNR 1987).
- 38.** AND FURTHER THAT the Owner shall agree to extend the municipal watermain from Highway Crescent, as well as from the intersection of Byerlay Side Road and Main Street of Courtland (MTO Highway 3), to provide two connections to the subdivision to the satisfaction of Norfolk County.
- 39.** AND FURTHER THAT the Owner shall agree that best efforts will be made to not disturb or disrupt existing residents and businesses. In addition, the Owner shall also agree to undertake works and pay all costs related to the restoration of any roads related to any damage that might occur from construction traffic.
- 40.** AND FURTHER THAT the Owner shall agree to prepare engineering as-constructed drawings, to the satisfaction of Norfolk County in accordance with the most recent Norfolk County Design Criteria
- 41.** AND FURTHER THAT private tertiary Septic Systems will be required for each lot, and must be designed by an approved septic designer and/or professional engineer. A site specific will be required, adhering to the requirements of the Ontario Building Code. The use of a tertiary treatment system which can provide an acceptable overall nitrate level provided OBC approved tertiary treatment systems listed under Standard CAN/BNQ 3680-600 are used to pre-treat sewage effluent discharge to subsurface sewage disposal beds, as per the recommendations of the Hydrological Investigation report. The septic system design which is submitted to the municipality as part of the building permit application, should include an attestation by the designer confirming that this requirement has been met.
- 42.** AND FURTHER THAT the Owner shall agree, prior to any site alteration, to provide a copy of the Environmental Compliance Approval from the appropriate Ministry relating to the municipal water and storm systems for the whole development or phase thereof and further that the Owner acknowledges that all requirements of the Class EA are to be completed in order to qualify for exemption from the Class EA process.
- 43.** AND FURTHER THAT the Owner shall agree, prior to any site alteration, to provide a copy of the Environmental Compliance Approval from the appropriate Ministry relating to the municipal water systems for the whole development or phase thereof.
- 44.** AND FURTHER THAT the Owner shall agree to prepare engineering design drawings, including, but not limited to the general plan of services, grading, drainage, sediment and erosion control, pumping station design, plan and profile design drawings to the satisfaction of Norfolk County, as may be required for the subject lands in accordance with the most recent Norfolk County Design Criteria and the recommendations of the studies, reports and assessments. In addition, the Owner shall further agree at the Owners expense, to construct the accepted works, to the satisfaction of Norfolk County.
- 45.** AND FURTHER THAT the Owner shall complete a Water Balance Study relating to the stormwater management facilities, carry out the recommendations and any necessary mitigation to the satisfaction of Norfolk County.

46. AND FURTHER THAT the Owner shall agree to design a stormwater management facility and related appurtenances in accordance with the most recent Norfolk County Design Criteria. In addition, the Owner shall further agree at the Owners expense, to construct the accepted works, to the satisfaction of Norfolk County.
47. AND FURTHER THAT the Owner shall agree to design and construct a chain link fence (1.2 metres high) or equivalent, as may be required along the lot lines of the stormwater management facilities, at the location directed by and to the satisfaction of Norfolk County.
48. AND FURTHER THAT the Owner shall agree that during construction of the development, the stormwater management facilities and access road, that all maintenance activities will be the responsibility of the Owner. Erosion and sediment control for the construction of the stormwater management facilities shall be in accordance with the engineering drawings that have been accepted by Norfolk County.
49. AND FURTHER THAT the Owner shall agree that prior to the assumption of the stormwater management facilities by Norfolk County it is the Owner's responsibility to provide record drawings of the facility that includes the existing permanent pool volume, inlet and outlet structure inverts, maintenance access and drying area. The Owner further acknowledges that calculating the permanent pool volume can be determined by a bathymetric survey, which will validate how much sediment has accumulated over time.
50. AND FURTHER THAT the Owner shall agree to be responsible for all costs and any works necessary to remediate the stormwater management facility and related appurtenance to its original design condition in conformance with the Ministry's Environmental Compliance Approval prior to assumption, or as required by Norfolk County. Removal of the sediment is subject to the requirements of the *Environmental Assessment Act, R.S.O. 1990, c. E. 18*.
51. AND FURTHER THAT the Owner shall agree to provide Norfolk County with all inspection and maintenance records developed according to the Environmental Compliance Approval from the appropriate Ministry prior to assumption.
52. AND FURTHER THAT the Owner shall agree to install sidewalks to the satisfaction of Norfolk County.
53. AND FURTHER THAT the Owner shall agree to design and construct a legal and adequate Storm outlet as appropriate at the Owner's expense to the satisfaction of Norfolk County Development Engineering.

#### **DRAINAGE ACT CONDITIONS**

54. AND FURTHER THAT the Owner shall agree to pay all costs related to Norfolk County appointing a qualified engineer on behalf of the Owner as it relates to Section(s) 4, 65, 76 or 78 of the Drainage Act, R.S.O. 1990, c. D.17 to address any proposed drainage works required to service the subject lands, modification of existing drainage works, or to address modifications to existing drainage watersheds and assessments currently passed under By-Law that may be affected by the proposed development. The Byerlay Road Drain, Mills South Norwich Drain and the Little Otter Creek Drains currently affect the subject lands.
55. AND FURTHER THAT if the subject lands are to be serviced by a municipal drain under the Drainage Act, the Owner shall agree to pay all costs relating to their development.



56. AND FURTHER THAT if the subject lands are to be serviced by a municipal drain under the Drainage Act, the Owner agrees to provide the municipality with an upfront contribution in the amount of 133% of their estimated net assessment identified within future drainage report(s) as adopted under by-law, prior to registration of the subdivision. Should there be a surplus of funds once construction is complete (i.e. construction cost are lower than anticipated), the excess funds will be reimbursed to the Owner once the construction is complete and the engineer has calculated the final assessments.
57. AND FURTHER THAT if the subject lands are to be serviced by a municipal drain under the Drainage Act, the Owner agrees to pay the actual net assessment to be identified within a future drainage report for the subject lands, which may be required to service and develop the property. All assessments will be calculated by the Engineer appointed based on the 3rd and final reading of the by-law passed by Council in accordance with the Drainage Act.
58. AND FURTHER THAT if the subject lands are to be serviced by a municipal drain under the Drainage Act, and the costs come in higher than 133% of the Engineers estimate, and the project proceeds after the municipality holds a meeting to consider the contract price (Section 59 of the Drainage Act), the Proponent agrees to pay the balance of the net assessment based on actual costs once the final assessment have been calculated by the Engineer.
59. AND FURTHER THAT if the subject lands are to be serviced by a municipal drain under the Drainage Act and the contract costs exceed 133% of the Engineers estimate and the Proponent decides to withdraw their name from the Drainage Act Petition at the Meeting to Consider the Contract Price (Section 59), the Proponent agrees to pay the costs to date related to the proposed development.
60. AND FURTHER THAT other than the model home(s) permitted by other legislation, no further dwellings shall be permitted until a legal and adequate outlet for stormwater has been constructed to service the subject lands.
61. AND FURTHER THAT the Owner shall provide a final copy of the drainage report(s) and final By-law(s) as passed by Council to each purchaser of the identified lots within the proposed subdivision.
62. AND FURTHER THAT the Owner shall also notify, in writing, each purchaser of lots identified within the proposed subdivision with respect to the potential future maintenance costs related to the municipal drain(s), and each owner's obligations to not obstruct, damage or otherwise interfere with the municipal drain or the maintenance corridor identified within the Engineers Report. Therefore, no buildings, fences, trees or items alike can be placed within drain or its maintenance corridor. In addition, no work shall be carried out within or along this corridor without consulting the municipality beforehand. Any damages that are required to be rectified by the municipality will be completed at the expense of the owner where the damage or obstruction occurs. There will be no reimbursement to the owner for any property or items damaged during the restoration of the municipal drain to its design conditions.

## **BUILDING**

63. AND FURTHER THAT the Owner shall ensure that the recommendations of the Hydrological Investigation Report, dated May 18, 2022, prepared by Terraprobe Inc. and Geotechnical Investigation Report, dated June 14, 2022, prepared by Englobe Corp. (c/o Thom Staples, C.E.T) to the satisfaction of the Norfolk County's Chief Building Official.

64. AND FURTHER THAT all applicable law approvals as required by the Ontario Building Code and supporting documentation from approval agencies re submitted with a building permit application. [OBC Division A 1.4.1.3] Specifically: Ministry of Transportation – Corridor permit.
65. Tertiary treatment of sewage effluent is required to be included with all sewage system applications. System to meet the standard CAN/BNQ-3680-600 "Onsite Residential Wastewater Treatment Technologies" Refer to page 15 of TerraProbe report File No. 1-22-0249-46

## **PLANNING**

66. AND FURTHER THAT the Owner shall provide documentation that the proposed lots and units are in conformity with the provisions and requirements of Zoning By-Law 1-Z2014, as amended, and certified by an Ontario Land Surveyor.
67. AND FURTHER THAT the Owner shall agree that prior to offering any of the residential lots for purchase, to place a "Display Map" where possible, in a place visible to the public, which indicates the accepted location of all: sidewalks, trails, walkways, parks, schools, commercial lands, open space areas, environmental protection areas, watercourses, stormwater management facilities, community mailboxes, and surrounding land uses and to provide Norfolk County Planning with an electronic version of said map. The map must be in conformance with our current by-law to regulate Awnings, Canopies, Signs and Other Advertising Devices within Norfolk County
68. AND FURTHER THAT the Owner shall receive approval from Norfolk County Geographic Information Systems for any street name and subsequent civic addressing included within the development.
69. AND FURTHER THAT the Owner agrees to satisfy all requirements, financial, and otherwise, of Norfolk County concerning installation, upgrading, maintenance, provision and dedication of roads, sidewalks, municipal water, sanitary sewer services including a sewage pumping station, utilities, stormwater facilities, street lighting, fencing, fire hydrants, etc. relating to the development.
70. AND FURTHER THAT the Owner agrees to ensure payment of municipal taxes, development charges and any applicable capital charges.
71. AND FURTHER THAT If a concern about ground water has been identified through an engineer report, this information should be identified and made available at the time of building permit applications which may include specific foundation designs to be implemented as part of the construction of all new homes as appropriate.
72. AND FURTHER THAT the Owner agrees to provide a tree plantation plan and agrees to implement the plan including all earthwork, topsoil, seeding, plantings, and fencing to the satisfaction of the satisfaction of Norfolk County.
73. AND FURTHER THAT the Owner agrees to design dwellings located adjacent to the rail line with air conditioning, and for remaining dwellings to be designed with forced air ventilation with ducts sized for the future installation of air conditioning, in accordance with Norfolk County and Ministry requirements.

74. AND FURTHER THAT the Owner agrees to construct dwellings located adjacent to the rail line with a brick exterior wall (or masonry equivalent) veneer from foundation to rafters, in accordance with Norfolk County and Ministry requirements.

### **LONG POINT REGION CONSERVATION AUTHORITY**

75. AND FURTHER THAT the Owner shall agree to design and construct a legal and adequate Stormwater outlet as appropriate at the Owner's expense to the satisfaction of Norfolk County Development Engineering.
76. AND FURTHER THAT prior to final plan approval, the Owner shall complete, submit and carry out the recommendations and any necessary mitigation to the satisfaction of the Long Point Region Conservation Authority from the following reports and plans:
- a. A detailed Stormwater Management Plan and report including:
    - i. Design of the facility and report;
    - ii. Water balance study;
    - iii. Legal and adequate outlet for stormwater;
  - b. A detailed Erosion Control Plan;
  - c. A detailed Grading Plan;

### **UTILITIES**

77. AND FURTHER THAT the Owner shall consider locating locate all utilities (telephone lines, local power, other cable services) underground and is encouraged to explore the provision of fibre optic cable or enhanced telecommunication technologies.
78. AND FURTHER THAT the Owner shall contact and enter into an agreement with the appropriate service providers for the installation of utility services for the Lands.
79. AND FURTHER THAT the Owner shall acknowledge and agree to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
80. AND FURTHER THAT should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
81. AND FURTHER THAT the Owner shall to provide a suitable location for a temporary community mailbox until curbs, sidewalks and final grading are completed at the permanent community mail box locations.
82. AND FUIRTHHER THAT the Owner acknowledges and agrees that a Community mailbox shall be installed for mail delivery with a setback of 2 meters from the road either on Byerlay Side Road, or on the new developed road. The Owner will consult with Canada Post to determine suitable

permanent locations for the Community Mail Boxes. The Owner will then indicate these locations on the appropriate servicing plans.

- 83.** AND FURTHER THAT the Owner agrees to include in all offers of purchase/rental agreement a statement which advises the purchaser/renter that mail will be delivered via Community Mail Box. The Owner also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected owners/renters of any established easements granted to Canada Post to permit access to the Community Mail Box
- 84.** AND FURTHER THAT the owner will consult Canada Post for detailed specifications, and agree to provide the following for each Community Mail Box site: any required walkway across the boulevard, per municipal standards; Any required curb depressions for wheelchair access, with an opening of at least two to three metres; a Community Mailbox concrete base pad per Canada Post specifications and will identify these structures on the General Plan of All Services.
- 85.** AND FURTHER THAT the Owner shall provide a letter to the Agreement Administrator from Canada Post indicating their requirements have been satisfied.

#### **OFFERS OF PURCHASE AND SALE AGREEMENTS**

- 86.** AND FURTHER THAT the Owner shall agree to include a dust and odour warning clause within the Agreement that all Offers of Purchase and Sale Agreements and/or tenancy agreements for lots 300 metres of Byerlay Road that identifies the proximity to Protected Industrial lands, which in the future can accommodate industrial uses that may generate nuisance, dust and odour.
- 87.** AND FURTHER THAT the Owner agrees to include a vibration and noise warning clause in the Agreement of Purchase and Sale and/or tenancy agreements that identifies that the proximity of existing and future industrial/commercial facilities, sound levels from the facilities may be at times be audible, per the recommendation of the Noise and Vibration Land Use Compatibility Study.
- 88.** AND FURTHER THAT the Owner agrees to include a vibration and noise warning clause in the Agreement of Purchase and Sale and/or tenancy agreements that identifies that sound and vibration due to future rail traffic may occasionally interfere with some activities of the dwelling occupants as the sound and vibration levels may exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation, and Parks, per the recommendation of the Noise and Vibration Land Use Compatibility Study.
- 89.** AND FURTHER THAT the Owner agrees to include CN's standard warning clause for all residential developments located within 300 m of their Principal Branch Line is in the Agreement of Purchase and Sale and/or tenancy agreements that identifies that Canadian National Railway, or its assigns or successors in interest has or have rights-of-way within 300 metres from the land subject hereof. There may be alteration to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CN will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way, per the recommendation of the Noise and Vibration Land Use Compatibility Study.

90. AND FURTHER THAT the Owner agrees to include a vibration warning clause in the Agreement of Purchase and Sale and/or tenancy agreements that identifies for dwelling units requiring or designed for adding central air conditioning at the occupant's discretion: installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment per the recommendation of the Noise and Vibration Land Use Compatibility Study.
91. AND FURTHER THAT the Owner shall agree to include a clause within the Agreement that all Offers of Purchase and Sale Agreements will include a clause advising prospective purchasers that lot grading shall be maintained according to the Master Grading Plan and alterations shall require approval Norfolk County's Chief Building Official Division.

### **FINAL PLAN APPROVAL**

92. AND FURTHER THAT the Owner agrees that the final plans will be preapproved by Registry Office and the Agreement Administrator prior to execution and deposit.
93. AND FURTHER THAT the Owner agrees to enter into an Agreement, and any subsequent amending or supplementary Agreements thereto, and that the Agreements shall be registered on title to the subject lands, all at the Owner's expense.
94. AND FURTHER THAT the Owner agrees to postpone any charges and/or mortgages to the County's Agreement, and that the Postponement of Interest shall be registered on title to the subject lands, all at the Owner's expense.
95. AND FURTHER THAT the Owner agrees that prior to final plan approval; the Agreement Administrator is to be advised in writing how all conditions have been met with the submission of a comprehensive package that includes written approvals written acceptances, final reports and documentation to detail how each condition has been satisfied.
96. AND FURTHER THAT the Owner shall advise in writing how conditions 1 to 95 have been satisfied at least twenty one (21) days prior to the final plan approval of the development.
97. AND FURTHER THAT the Owner agrees that if there are violations of any draft plan conditions of approval for the development that the draft plan approval becomes null and void.

### **NOTES TO DRAFT PLAN APPROVAL**

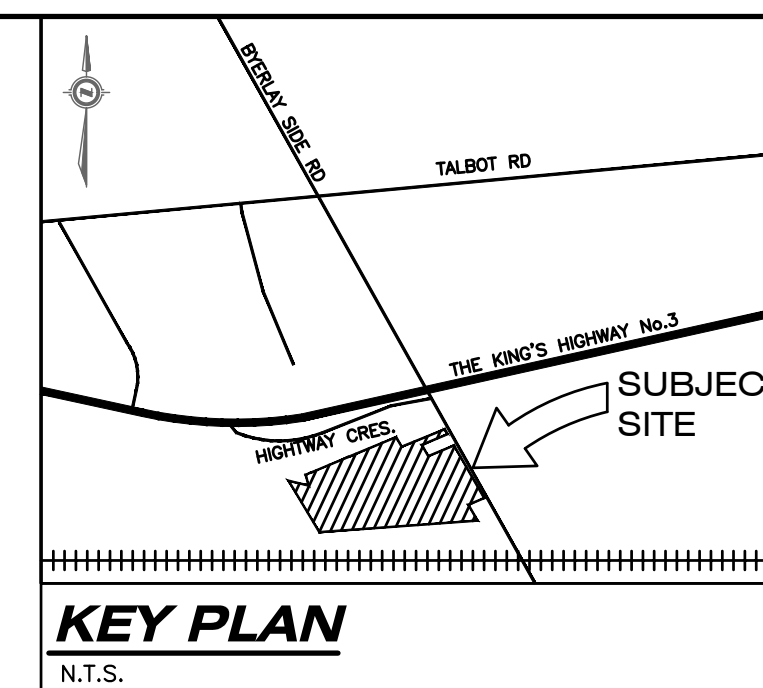
That an application for draft plan of approval expiry date extension could result in a review of the draft plan and conditions of approval which may result in a redline development application requirement.

That the development must be in compliance with Norfolk County's Design Criteria, as amended from time to time.

That all development approvals provided can be superseded with the introduction of new design standards, technical requirements, policy guidelines, legislation and regulations. If a proposal does not meet the minimum design standards, technical requirements, policy guidelines, legislation and regulations in force and effect, a redline revision to the draft plan and additions, removal or modifications to these draft plan conditions may be required.



LAND USE SCHEDULE			
LOT OR BLOCK NUMBER	LAND USE	AREA (Ha)	%
LOTS 1-13	SINGLE DETACHED DEWELLINGS	2.717	79.0
14	SWM	0.166	4.8
15	WALKWAY AND SERVICING EASEMENT	0.084	2.4
N/A	RIGHT OF WAY	0.474	13.8
TOTAL AREA		3.441	100.0



**DRAFT PLAN OF SUBDIVISION**

PART OF  
LOT 166 CONCESSION SOUTH OF TALBOT ROAD  
GEOGRAPHIC TOWNSHIP OF MIDDLETON  
IN THE  
NORFOLK COUNTY

**OWNER'S AUTHORIZATION**

WE HEREBY SUBMIT THIS DRAFT PLAN OF SUBDIVISION  
WE HAVE THE AUTHORITY TO BIND THE CORPORATION

MIKE GOOR  
STUBBE'S PROPERTY DEVELOPMENT INC. DATED

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED, AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

KIM S. HUSTED O.L.S.  
KIM HUSTED LAND SURVEYING LTD DATED

**REQUIREMENTS UNDER SECTION 51(17) OF THE PLANNING ACT**

- |                         |                     |
|-------------------------|---------------------|
| A: AS SHOWN ON PLAN     | G: AS SHOWN ON PLAN |
| B: AS SHOWN ON PLAN     | H: PIPED WATER      |
| C: AS SHOWN ON KEY PLAN | I: SILT/CLAYEY SILT |
| D: RESIDENTIAL          | J: AS SHOWN ON PLAN |
| E: AS SHOWN ON PLAN     | L: AS SHOWN ON PLAN |
| F: AS SHOWN ON PLAN     | K: MUNICIPAL WATER  |



DESIGN	No.	REVISIONS	D/M/Y	BY	CONSULTANT
FZ/BM	1	PRELIMINARY DESIGN FOR CLIENT REVIEW	01/09/22	FZ	
FZ	2	FOR DRAFT PLAN APPROVAL APPLICATION	28/10/22	FZ	
BH	3	FOR DRAFT PLAN APPROVAL APPLICATION 2	16/03/23	FZ	
APPROVED	BH				
DATE	28/10/2022				
CAD	22-0040				

**STRIK BALDINELLI MONIZ**  
sbm  
PLANNING - CIVIL - STRUCTURAL - MECHANICAL - ELECTRICAL  
1599 Adelaide St. N, Unit 301, London, Ontario, N5X 4E8  
Tel: (519) 471-6667 Fax: (519) 471-0034  
Email: sbm@sbmtd.ca

CLIENT  
**STUBBE'S PROPERTY DEVELOPMENT INC.**  
44 MUIR LINE R.R. #2 HARLEY  
NOE 1EO, ONTARIO  
CANADA  
TEL: 519-424-2183  
FAX: 519-424-9058  
EMAIL: ALBERTM@STUBBES.ORG

SCALE  
SCALE - 1:500  
5.0 0 10.0m

TITLE  
**DRAFT PLAN OF SUBDIVISION**  
**COURTLAND SUBDIVISION**  
17 HIGHWAY CRESCENT  
COURTLAND

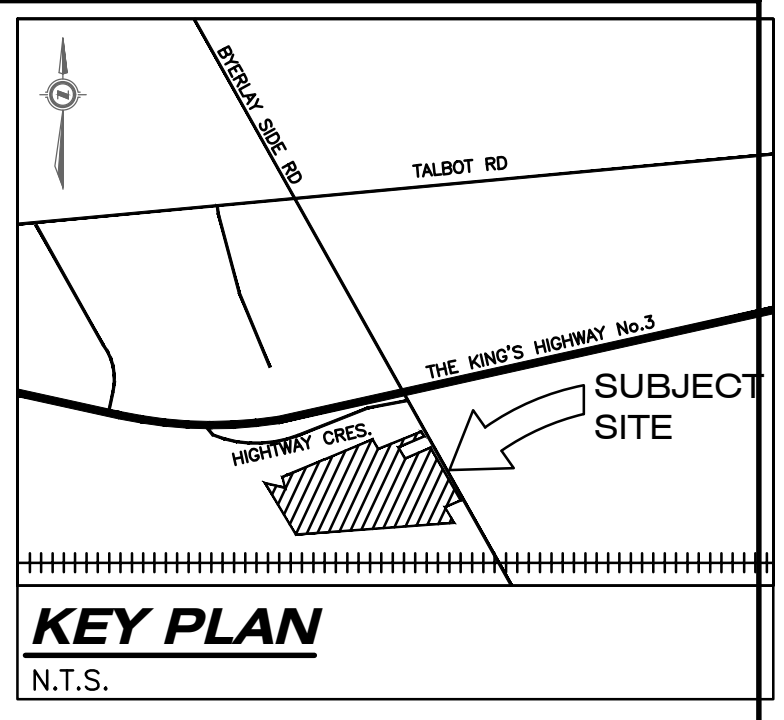
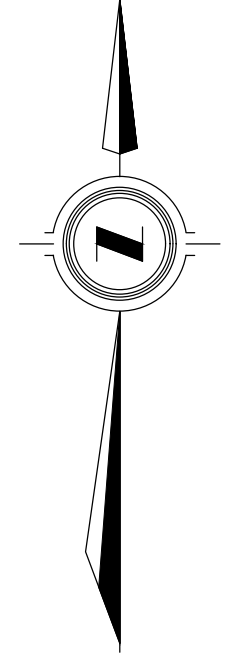
PROJECT No.  
**SBM-22-0040**

SHEET No.  
**DP**

PLAN FILE No.  
-

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**ZONING DEFICIENCIES**

ZONING STANDARD	REQUIRED	DEFICIENT LOTS
LOT FRONTAGE (m MIN)	30.0*	LOT 8: 27.08
LOT AREA (m² MIN)	1,950.0**	LOT 5: 1,831.7 LOT 6: 1,656.5 LOT 7: 1,594.3 LOT 10: 1,591.6 LOT 11: 1,719.1 LOT 12: 1,779.8

\*AS PER RH ZONING BY-LAW 1-Z-2014  
\*\*AS PER BY-LAW 9-Z-2023

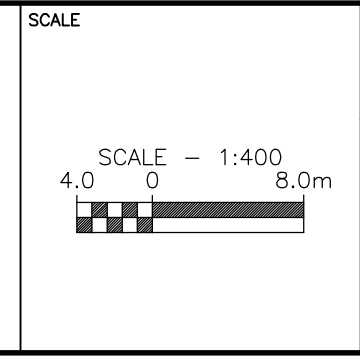
AS CONSTRUCTED SERVICES	COMPLETION	No.	REVISIONS	D/M/Y	BY	CONSULTANT
DESIGN	FZ/BM	1	ZONING DEFICIENCIES IDENTIFIED	02/10/24	SC	
DRAWN	FZ					
CHECKED	SH					
APPROVED	SH					
DATE						
CAD	22-0040					

**STRIK BALDINELLI MONIZ**  
PLANNING - CIVIL - STRUCTURAL - MECHANICAL - ELECTRICAL  
1599 Adelaide St. N, Unit 301, London, Ontario, N5X 4E8  
Tel: (519) 471-6667 Fax: (519) 471-0034  
Email: sbm@sbmtd.ca

**PRELIMINARY NOT FOR CONSTRUCTION**



**STUBBES PROPERTY DEVELOPMENT INC.**  
44 MUIR LINE R.R. #2 HARLEY  
NOE 1E0, ONTARIO  
CANADA  
TEL: 519-424-2183  
FAX: 519-424-9058  
EMAIL: ALBERTM@STUBBES.ORG



**COURTLAND SUBDIVISION**  
17 HIGHWAY CRESCENT  
COURTLAND, ON.

PROJECT No.	<b>SBM-22-0040</b>
SHEET No.	
PLAN FILE No.	



PLANNING • CIVIL • STRUCTURAL • MECHANICAL • ELECTRICAL

LONDON LOCATION  
1599 Adelaide St. N., Unit 301  
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[www.sbmltd.ca](http://www.sbmltd.ca)

KITCHENER LOCATION  
132 Queen St. S. Unit 4  
Kitchener, ON N2G 1V9  
P: 519-725-8093

[sbm@sbmltd.ca](mailto:sbm@sbmltd.ca)

Norfolk County Planning Department  
Via email to [planning@norfolkcounty.ca](mailto:planning@norfolkcounty.ca)

October 4, 2024  
SBM-24-0040

**RE: Minor Variance Application associated with Draft Plan of Subdivision Application 28TPL2022350  
Courtland Subdivision – 17 Highway Crescent**

Strik, Baldinelli, Moniz Ltd (SBM) has been retained by Stubbe’s Property Development Inc. to submit a Minor Variance application to rectify zoning deficiencies associated with the above-noted draft plan of subdivision to satisfy condition #66: AND FURTHER THAT the Owner shall provide documentation that the proposed lots and units are in conformity with the provisions and requirements of Zoning By-Law 1-Z2014, as amended, and certified by an Ontario Land Surveyor.” The draft plan of conditions document we have on file is being included in the Minor Variance application submission package.

The zoning deficiencies for lot area (six deficiencies) and lot frontage (one deficiency) are identified and summarized in a chart on the marked-up site layout drawing by SBM dated October 2, 2024 based on the draft plan of subdivision previously accepted by Norfolk County staff as part of the draft plan of subdivision conditions clearance review process lead by my SBM engineering colleague, Ben Hyland, P.Eng., PMP.

Please do not hesitate to contact me should you require further information regarding this Minor Variance application submission.

Respectfully submitted,  
**Strik, Baldinelli, Moniz Ltd.**  
Planning • Civil • Structural • Mechanical • Electrical

A handwritten signature in black ink, appearing to read 'SRasanu', written in a cursive style.

Simona Rasanu, RPP, MCIP  
Planner and Project Lead

# The Corporation of Norfolk County

## By-Law 9-Z-2023

**Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Part Lot 25, Middleton Concession 1, South of Talbot Road, Norfolk County, municipally known as 17 Highway Crescent, Courtland.**

**WHEREAS** Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 36(1) (Holding) of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

**AND WHEREAS** this By-Law conforms to the Norfolk County Official Plan.

**NOW THEREFORE** the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified as Part 1 on Map A (attached to and forming part of this By-Law) from Agricultural Zone (A) to Hamlet Residential (RH) Zone with special provision, and for the subject lands identified as Part 2 on Map A (attached to and forming part of this By-Law) from Agricultural (A) Zone to Hamlet Residential (RH) Zone with special provision and a holding provision);
2. That Subsection 14 Special Provisions is hereby further amended by adding new/revised 14.1032 as follows:
  14. 1032 In lieu of the corresponding provisions in the RH Zone, the following shall apply:
    - a) minimum *lot area*:
      - i. *interior lot* – 1950 square metres;
      - ii. *corner lot* – 1950 square metres;
3. That the effective date of this By-Law shall be the date of passage thereof.

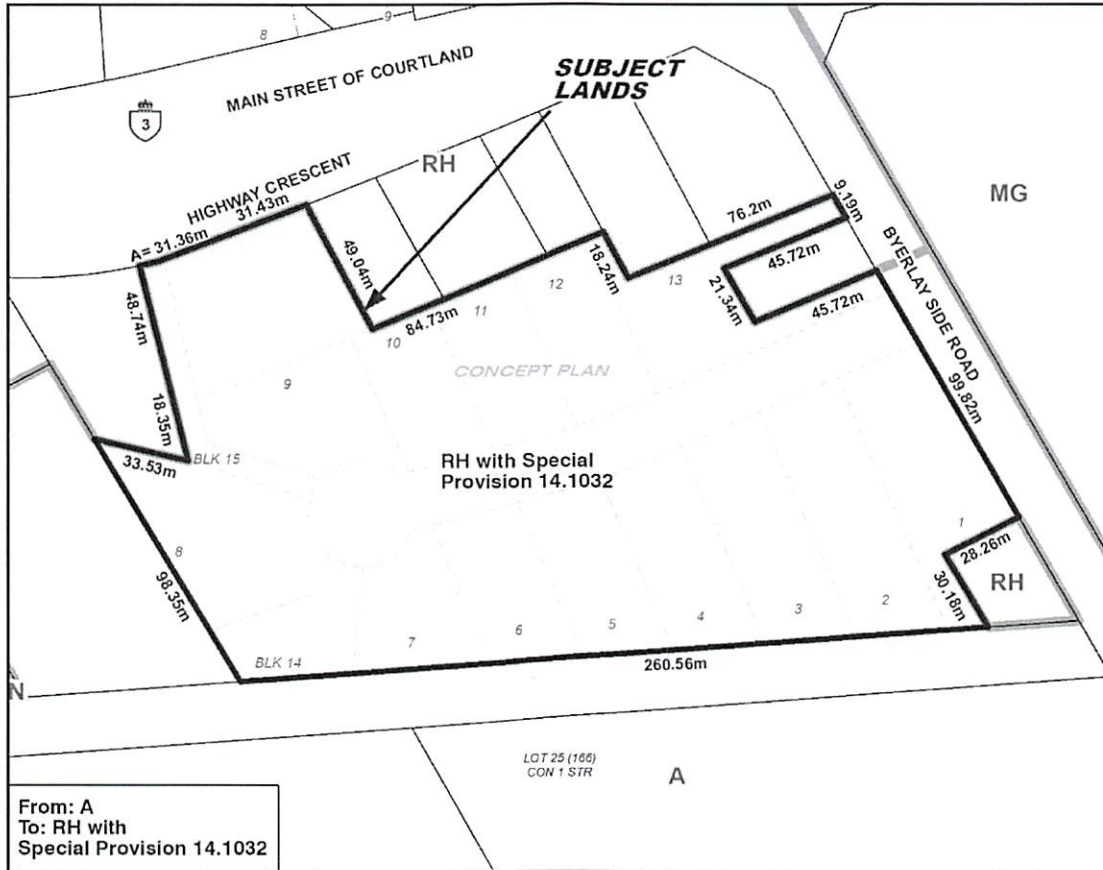
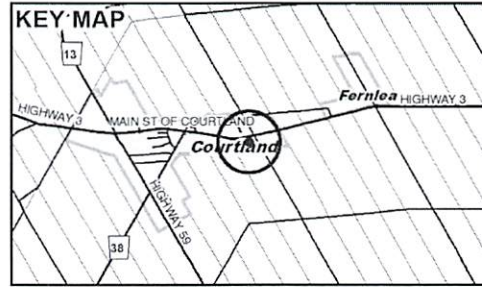
**ENACTED AND PASSED** this 28th day of March, 2023.

Way Martin  
Mayor A. Martin

Theobald  
Deputy County Clerk



**MAP A**  
**ZONING BY-LAW AMENDMENT**  
**NORFOLK COUNTY**  
 In the Geographic Township of  
**MIDDLETON**



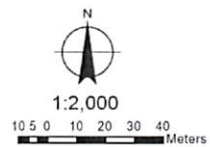
**LEGEND**



Subject Lands

ZONING BY-LAW 1-Z-2014

- (H) - Holding
- MG - General Industrial Zone
- IN - Neighbourhood Institutional Zone
- A - Agricultural Zone
- RH - Hamlet Residential Zone



This is MAP A to Zoning By-law 9-Z-2023 Passed the 28th day of March, 2023.

*Shay Martin*  
 MAYOR

*Thomas*  
 Deputy CLERK

**Explanation of the Purpose and Effect of  
By-Law 9-Z-2023**

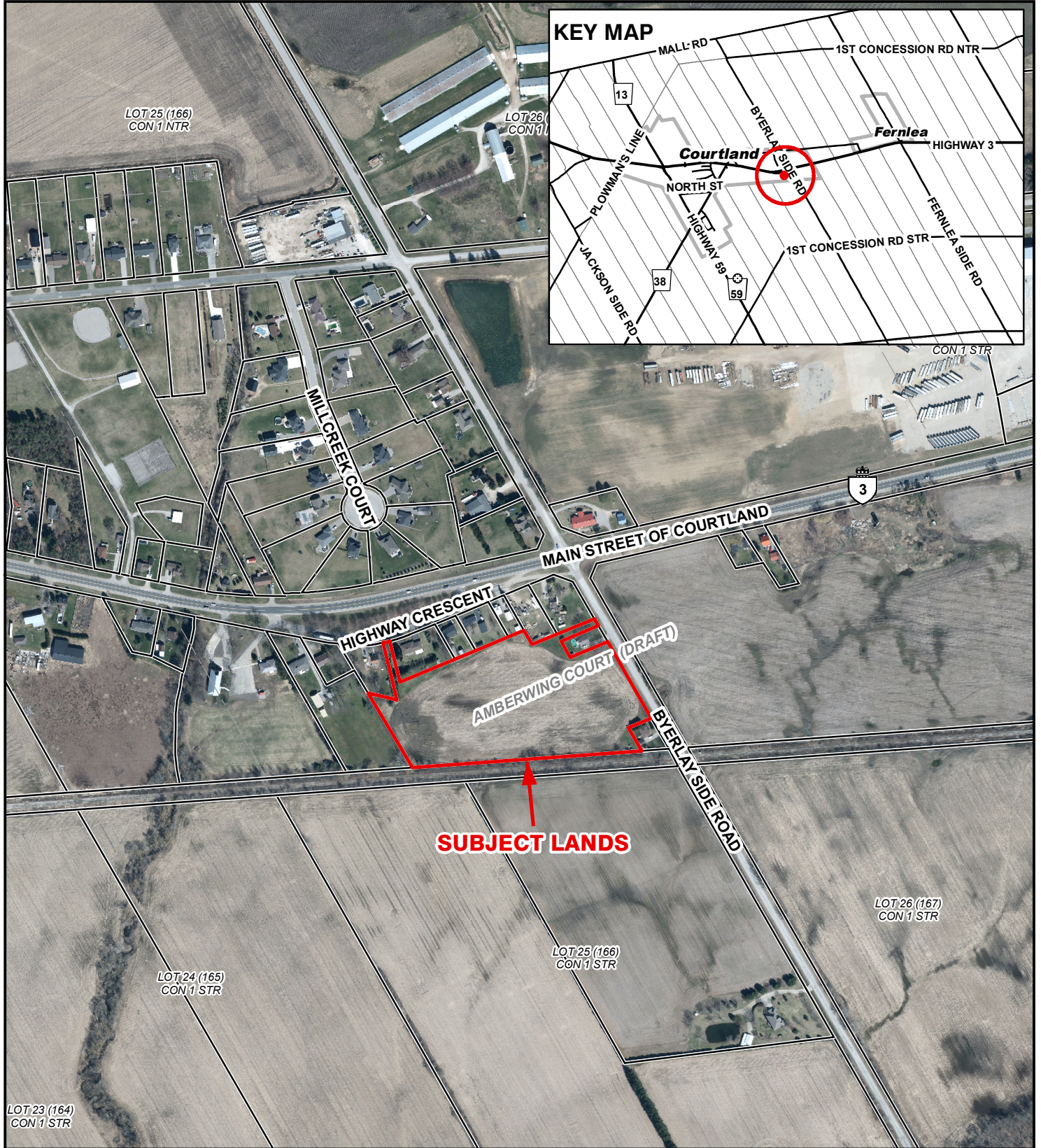
This By-Law affects a parcel of land described as Part Lot 25, Middleton Concession 1, South of Talbot Road, Norfolk County, municipally known as 17 Highway Crescent, Courtland.

The purpose of this By-Law is to change the zoning on the subject lands change the zoning on the subject lands from Agricultural (A) Zone to Residential Hamlet (RH) with a site specific special provision to permit a reduced lot area.




**MAP A**  
**CONTEXT MAP**  
 Geographic Township of MIDDLETON

ANPL2024363

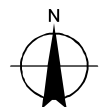


**Legend**

 Subject Lands

2020 Air Photo

10/30/2024

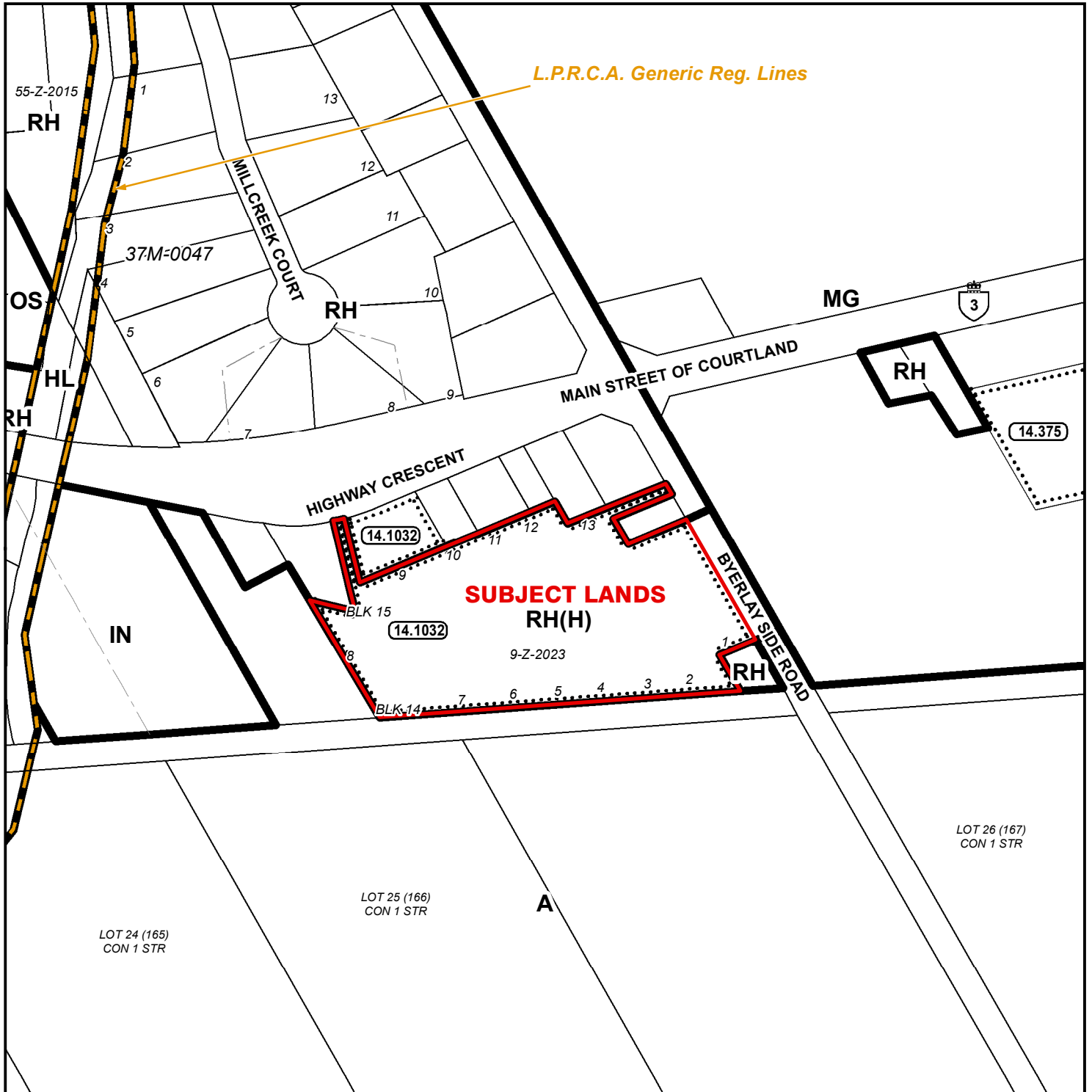


40 20 0 40 80 120 160 Meters



**MAP B**  
**ZONING BY-LAW MAP**  
 Geographic Township of MIDDLETON

ANPL2024363



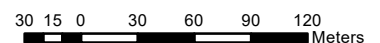
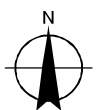
**LEGEND**

- Subject Lands
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

10/30/2024

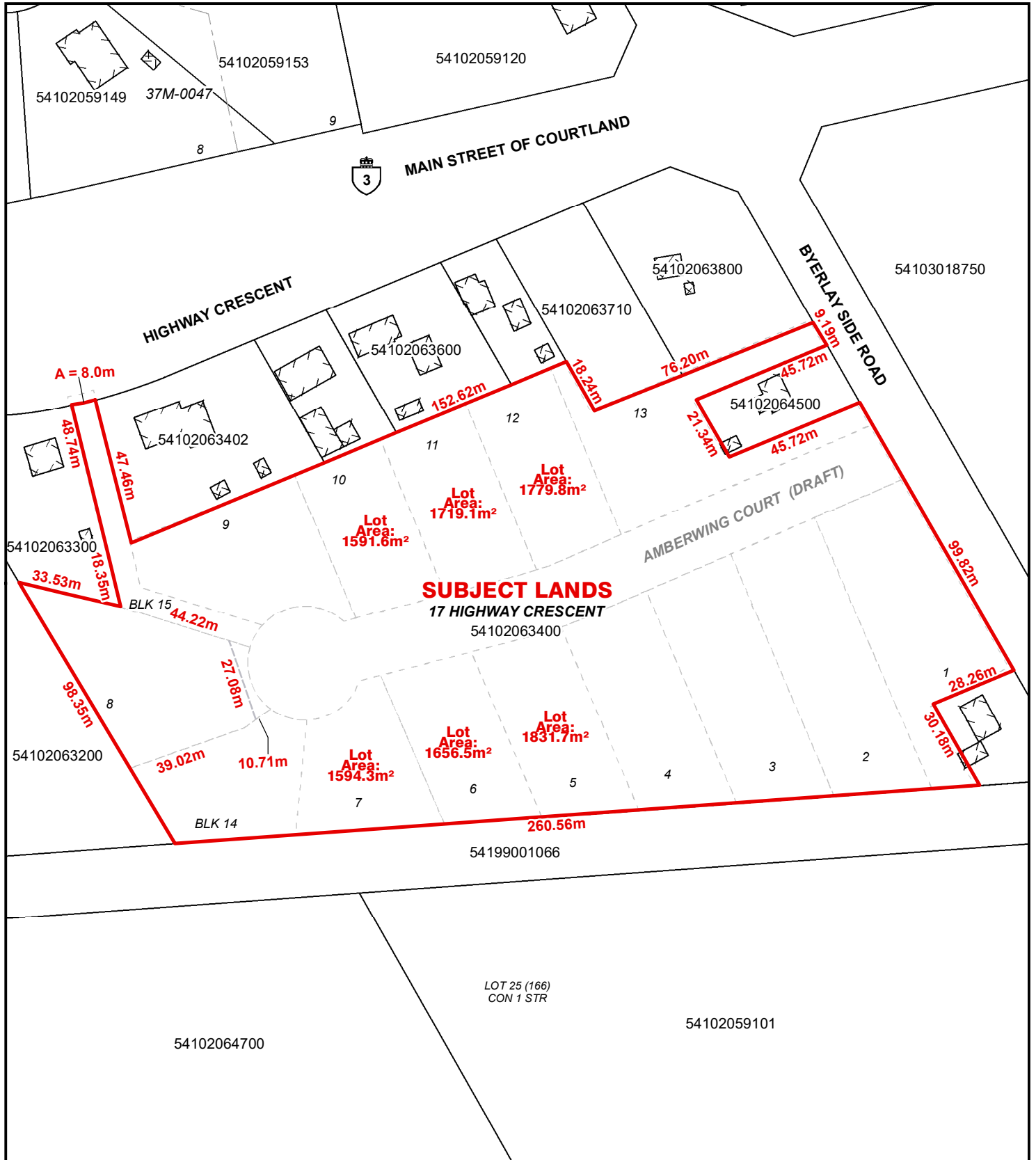
- (H) - Holding
- A - Agricultural Zone
- MG - General Industrial Zone
- RH - Hamlet Residential Zone
- HL - Hazard Land Zone
- IN - Neighbourhood Institutional Zone
- OS - Open Space Zone






CONCEPTUAL PLAN

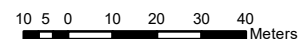
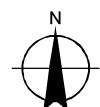
Geographic Township of MIDDLETON



Legend

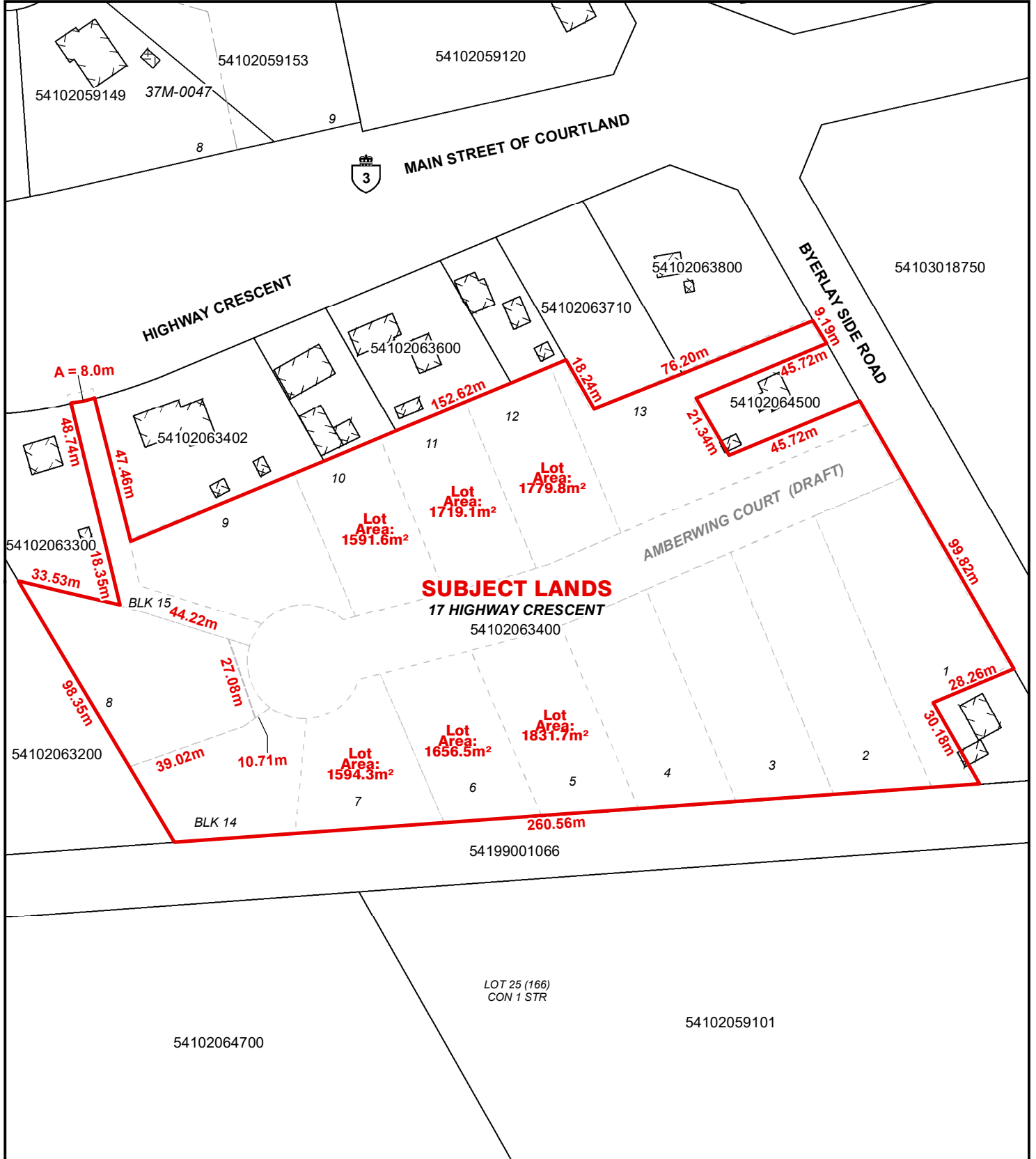
 Subject Lands

10/30/2024



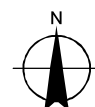
CONCEPTUAL PLAN

Geographic Township of MIDDLETON



Legend

Subject Lands



10/30/2024

